

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

KATHY ADKINS, et al.,

Plaintiffs,

v.

ENCORE CAPITAL GROUP, INC., et al.,

Defendants.

Action No. 3:11-CV-334

ORDER

THIS MATTER is before the Court on Defendants' Motion to Dismiss. (Doc. No. 7.) On July 21, 2011, Defendants moved pursuant to Federal Rule of Civil Procedure 12(b)(6) to: (1) dismiss all claims against Encore Capital, Inc., and (2) dismiss Counts Three and Four against Midland Funding, LLC, and Midland Credit Management, Inc. On September 2, 2011, by the consent of the parties, this Court ordered (Doc. No. 17.) that should Plaintiffs file an Amended Complaint no later than September 7, 2011, this Court would deny without prejudice Defendants' Motion to Dismiss. Plaintiffs filed an Amended Complaint September 7, 2011. (Doc. No. 18.). Accordingly, Defendants' Motion to Dismiss is hereby DENIED without prejudice.

Let the Clerk send a copy of this Order to all counsel of record.

It is SO ORDERED.

_____/s/_____
James R. Spencer
Chief United States District Judge

ENTERED this 13th day of September 2011